

DEPARTMENT OF ADMINISTRATION

DIPATTAMENTON ATMENESTRASION

HUMAN RESOURCES DIVISION

(Dibision Inadilanto yan Guinaha Para Taotao)
Telephone (Telifon): (671) 475-1288/1103 • Fax (Faks): (671) 477-3671



October 12, 2022

HRD No: 22-514

MEMORANDUM

TO:

Personnel Services Administrator, Human Resources Division

FROM:

Personnel Specialist III, Classification and Pay Branch

SUBJECT:

Notice of Proposed Classification Specification Amendment

RE: Labor Law Enforcement Specialist I

Buenas yan Håfa Adai! This is written to respectfully request approval to amend the classification specification for the "Labor Law Enforcement Specialist I," currently identified in the government of Guam's Classification and Compensation Class List as follows:

Labor Law Enforcement Specialist I – Class Code No.: 2.206

Category III: Administrative, Accounting and Related Professional and Technical Sub-Category C: Business Regulatory

By memorandum dated September 29, 2022, the Director, Department of Labor (DOL), requested to amend the existing classification specification to update the requirements to meet the current needs of DOL, as the duties and responsibilities of the position have evolved since its creation in October, 1984.

The current experience and requirements for the position require one year of bookkeeping experience, one year of public contact and graduation from high school. In their September 29th memorandum, DOL stated "Although experience in bookkeeping for a Wage & Hour Investigator is desirable, we have found that it is not appropriate for investigators engaged in immigration related labor law, investigating discrimination cases or investigating work place injuries." DOL has also stated that the bookkeeping requirement "hampers" the proper recruitment of persons vitally needed to enforce non-wage related labor laws.

Based on our review, we find that the proposed amendments are appropriate. The amended sections are indicated in bold lettering on the attached proposed classification specification. Additionally, the Hay Evaluation will not be impacted and remains as follows:

POSITION TITLE	KNOW- HOW	PROBLEM SOLVING	ACCOUNTABILI TY	TOTAL POINTS	PAY GRADE
Labor Law Enforcement Specialist I	C I 2 115	C 2+ 22% 25	C N II+ 33	173	Н

Upon approval of this request, the Classification Branch will cause copies of the attached proposed amended job specifications to be posted on the Department of Labor and the Department of Administration's respective websites, for a period of ten (10) work days (Saturdays, Sundays and government of Guam holidays excepted) [4 GCA §6303(c)(2)]. Additionally, electronic copies will be provided to the various local media.

We look forward to your response. If you have any questions or require further information, please do not hesitate to contact the Classification Branch at 475-1131/1201/1265. *Dångkolo na Agradesimiento!*

CATHERINE'L.P. BORJA

Attachment

M APPROVED

[] DISAPPROVED

SHANE G.L. NGATA, Personnel

Services Administrator

Human Resources Division

Date: (0/(2/2



LABOR LAW ENFORCEMENT SPECIALIST I (PROPOSED)

2.206

NATURE OF WORK IN THIS CLASS

This is routine technical work involved in the investigation and enforcement of the Wage and Hour Law, Child Labor, and other labor regulations.

<u>ILLUSTRATIVE EXAMPLES OF WORK:</u> (These examples do not list all the duties which may be assigned; any one position may not include all the duties listed.)

Conducts routine field investigations to determine compliance of laws, rules and regulations; reports all discrepancies and makes follow-up investigations; completes necessary forms; and recommends action on findings.

Assists senior specialists in compiling and reviewing payroll, time and attendance sheets, and other pertinent records.

Conducts interviews with individuals filing official complaints or seeking services and employers concerned; submits reports of findings and recommendations.

Maintains records and prepares reports.

Performs related duties as required

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of bookkeeping principles and practices or general knowledge of labor laws related to alien workers, fair labor standards or worker compensation insurance.

Ability to learn, interpret, and apply pertinent laws, regulations and other labor law enforcement guidelines.

Ability to learn and apply the principles and techniques of interviewing and investigation.

Ability to enforce laws and regulations with firmness, tact and impartiality.

Ability to collect and analyze data.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Skill in the safe operation of a motor vehicle.



LABOR LAW ENFORCEMENT SPECIALIST I (PROPOSED)

2.206

MINIMUM EXPERIENCE AND TRAINING:

- (a) One year of bookkeeping experience, one year of public contact work and graduation from high school; or
- (b) One year of experience in investigation or enforcement work in compliance monitoring and graduation from high school; or
- (c) Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

NECESSARY SPECIAL QUALIFICATIONS:

Possession of a valid driver's license.

AMENDED:

OCTOBER 2022

PAY GRADE:

Н

HAY EVALUATION:

KNOW-HOW:

CI2

115

PROBLEM SOLVING:

C 2+ 22%

25

ACCOUNTABILITY:

C N II+

<u>33</u>

TOTAL POINTS

This standard revises and supersedes the standard established in October 1986.

EDWARD M. BIRN, Director Department of Administration LOURDES A. LEON GUERRERO Governor of Guam



DEPARTMENT OF

DIPATTAMENTON HOMOTNAT · David M. Dell'Isola, Director · Gerard A. Toves, Deputy Director

Lourdes A. Leon Guerrero Governor

> Joshua F. Tenorio Lieutenant Governor

> > September 29, 2022

MEMORANDUM

TO:

Director, Department of Administration

FROM:

Director, Department of Labor

SUBJECT:

Request for Amendment to Classification Specification for

Labor Law Enforcement Specialist I

Buenas Director Birn:

The Guam Department of Labor is requesting an amendment to the Classification Specification for the position of Labor Law Enforcement Specialist I (LLES), specifically to the Minimum Knowledge, Abilities and Skills section.

The current specifications were developed in 1980 and were seemingly done for employees engaged in Wage & Hour investigations. For the past 30 years, the LLES position has been used for enforcement personnel in the Alien Labor Processing and Certification Division (ALPCD) for investigators engaged in monitoring the employment of H-2B workers on Guam. More recently, the position has been used for enforcement staff in the Fair Employment Practice Division (FEPD) and the Workers Compensation Commission (WCC).

The current experience requirements for the position require one year of bookkeeping experience, one year of public contact and graduation from high school. Although experience in bookkeeping for a Wage & Hour Investigator is desirable, we have found that it is not appropriate for investigators engaged in immigration related labor law, investigating discrimination cases or investigating work place injuries. We have determined that the bookkeeping requirement actually hampers the proper recruitment of persons vitally needed to enforce non-wage related labor laws.

Mailing Address: P.O. Box 9970 • Tamuning, Guam 95931

Physical Address: 414 West Soledad Avenue • Suite 808, GCIC Building • Hagatha, Guam 96910

Telephone: (671) 475-7044/7036 • Facsimile: (671) 475-6811

American Job Center. (671) 475-7600 HIREGUAM Website: dol.guam.gov • hireguam.com



Memo to DOA Director Re: LLES I Classification Page 2 of 4

We have found that applicants meeting the bookkeeping qualifications typically do not have the desirable skill sets to perform duties outside of Wage & Hour.

In light of the above, GDOL now petitions for a change in the LLES specifications to update the requirements to meet current needs of the Department. The change that we seek is to maintain the current bookkeeping experience, but to add alternate experience requirements which meet the needs of the multiple disciplines that a LLES may be assigned to in differing divisions. We have made very minor changes to the Illustrative Examples of Work as follows:

FROM:

ILLUSTRATIVE EXAMPLES OF WORK: (These examples do not list all the duties which may be assigned; any one position may not include all the duties listed).

Conducts routine field investigations to determine compliance of laws, rules and Regulations; reports all discrepancies and makes follow-up investigations.

Assists senior specialists in compiling and reviewing payroll, time and attendance sheets, and other pertinent records.

Conducts interviews with individuals filing official complaints and employers concerned; submits reports of findings and recommendations.

Maintains records and prepares reports.

Performs related duties as required.

TO:

ILLUSTRATIVE EXAMPLES OF WORK: (These examples do not list all the duties which may be assigned; any one position may not include all the duties listed).

Conducts routine field investigations to determine compliance of laws, rules and regulations; reports all discrepancies and makes follow up investigations; completes necessary to a supplied and regulations and regulations and regulations.

Assists senior specialists in compiling and reviewing payroll, time and attendance sheets, and other pertinent records.

Conducts interviews with individuals filing official complaints and employers concerned; submits reports of findings and recommendations.

Maintains records and prepares reports.

Performs related duties as required.

Memo to DOA Director Re: LLES I Classification Page 3 of 4

Minimum Knowledge, Abilities and Skills section to modernize the text, but essentially leaving them the same. The suggested changes are as follows:

FROM:

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of bookkeeping principles and practices.

Ability to learn, interpret, and apply pertinent laws, regulations and other labor law enforcement guidelines.

Ability to learn and apply the principles and techniques of interviewing and investigation.

Ability to enforce laws and regulations with firmness, tact and impartiality.

Ability to collect and analyze data.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Skill in the safe operation of a motor vehicle.

TO:

MINIMUM KNOWLEDGE, ABILITIES AND SKILLS:

Knowledge of bookkeeping principles and practices or an additionable and lebor label and lebor

Ability to learn, interpret, and apply pertinent laws, regulations and other labor law enforcement guidelines.

Ability to learn and apply the principles and techniques of interviewing and investigation.

Ability to enforce laws and regulations with firmness, tact and impartiality.

Ability to collect and analyze data.

Ability to work effectively with the public and employees.

Ability to communicate effectively, orally and in writing.

Ability to maintain records and prepare reports.

Skill in the safe operation of a motor vehicle.

Memo to DOA Director Re: LLES I Classification Page 4 of 4

The suggested changes to the Minimum Experience and Training section as follows:

FROM:

MINIMUM EXPERIENCE AND TRAINING:

- (a) One year of bookkeeping experience, one year of public contact work and graduation from high school; or
- (b) Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

TO:

MINIMUM EXPERIENCE AND TRAINING:

(a) One year of bookkeeping experience, one year of public contact work and graduation from high school, or

the that you despended have surface observe considerable supficient manner on an dependence on large sale of

(c) Any equivalent combination of experience and training which provides the minimum knowledge, abilities and skills.

The requested changes are minimal and we do not feel that it should affect pay or classification and thus no incumbent employee would be affected as all incumbents would already meet the qualifications and the job duties will not change. We have also reviewed the LLES series and find that no changes are necessary to the LLES II, LLES III and LLE Supervisor specifications.

Additionally, we respectfully request expedited handling of this request as we expect that we will be recruiting for these positions in the near future in response to unprecedented workload resulting from the Guam military build up.

Attached is a draft of the revision that we are proffering for revision. Thank you in advance for your attention and expeditious action. Should you have any questions, please contact our Administrative Services Officer, Ms. Helen Mafnas at (671) 475-7073 or via email ay Victoria.mafnas@dol.guam.gov.

DAVID DELL'ISOLA

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Class	Code:	

CIVIL SERVICE COMMISSION POSITION DESCRIPTION QUESTIONNAIRE

I. IDENTIFICATION

Official Position Ti Job	tle: Labor Law Enfo	orcement Specialist I	Official Position No.
Location:	Department of Labor, Alies	Labor Processing & Certification	on Division
	(Department/Agency)	(Division)	
Name:			·
	(Last)	(First)	(Middle Initial)
Pay Grade:	<u>H</u> [X] Classifie	d [] Unclassified	[X] Position Vacant
Supervisor:	Greg S. Mas	sey	ALPCD Administrator
L	(Name of Direct	Supervisor) (Tit	tle of Supervisor)

DESCRIPTION OF DUTIES

Duty NO. or %	ESSENTIAL FUNCTIONS: Organize and list duties and responsibilities that MUST be performed. List duties in one of the formats below.		
Time	 (1) The daily work assignments, being with the first duty and ending with the last duty for the day. (2) Percentage of time and show % for each (total % equals (3) 100%). Order of importance, beginning with the most important. 		
	Mark (✓ or X) one format only: [] (1), [X] (2), [] (3).		
30%	Conduct routine field investigations and project inspections to determine employer compliance with labor rules and regulations; documents and reports violations and makes follow up investigations.		
30%	Assist in the review and monitoring of employers authorized jobsites and worker housing		
15%	Conducted fact finding research into employer case files and using other government resources to support inspections.		
20%	Prepare and submit preliminary reports and; maintains records on all reports submitted; assists in preparing citations for violations.		
5%	Performs other related duties as required.		

	NON-ESSENTIAL OR ADDITIONAL FUNCTIONS: List duties
	responsibilities not listed above that may be performed, as assigned.
	Assists in the registration of H-2B workers; reviews and logs applications; takes photo ID of workers as necessary.
Ì	
III.	CONTACTS: Departments, agencies and individuals you deal with during the course of your daily activities.
A.	Within your department/agency. Mark (X or ✓) one box:
	[] None [] Up to 15% of total working hours [X] 15 - 50% of total working hours [] Over 50%
В.	Outside your department/agency. Mark (X or ✓) one box:
	[] None [X] Up to 15% of total working hours [] 15 - 50% of total working hours [] Over 50%
IV	SUPERVISION RECEIVED: How closely is the employee's/jobholder's work
	Tevrewed by the direct supervisor? Mark(X or ✓) one correct response.
[X]	Detailed and specific instructions/procedures received or followed for each assignment.
[]	General Supervision Routine duties are preformed with minimal supervision. Standard practices or procedures allow employee to function alone at routine work. Supervisor makes occasional check of work while in progress. Work is reviewed upon complete.
[]	the tasks and projects assigned; determines methods, work sequence, scheduling and how to achieve objectives of assignments; operates within policy guidelines. (Generally applicable to skilled professionals, supervisors and managers)

- General Direction -Receives very general guidance about overall objectives; work is usually quite independent of others; operates within division or department policy guidelines, using independent judgment in achieving assigned objectives. (Generally applicable to managers/administrator in large and complex organizations and to department/agency heads and their first assistants.)
- V. SUPERVISION EXERCISED: The employee/jobholder supervises other employees. List the number of employees supervised, their position titles, and a brief description of their responsibilities.

Number Supervised	Position Title	Description of Responsibilities
N/A		
23		

VI. EQUIPMENT: List the equipment (pickup truck, welder, crane, etc.) office machines, (word processor, calculator, copying machine, etc.) or any other machines, tools devices that are used on a regular and continuing basis. Show what percentage of the regular workday is spent using each.

Government Vehicle (constitution)	PERCENT (%) OF TIME FOR EACH
Government Vehicle (usually 4 wheel drive) Computer	20%
	20%
Digital recording equipment (mostly camera and digital sound recorder) General office equipment (copier, computer)	20%
constant extract equipment (copier, computer)	10%

- [] Mark (or X) here if job holder is unable to complete this section. The direct supervisor will then complete this section for the jobholder.
- A. MINIMUM QUALIFICATION REQUIREMENTS: List the minimum experience and training a qualified applicant must have before employment.

1. WORK EXPERIENCE: List the general speci-	
supervisory/management work ownering general, speci-	alized and/or
supervisory/management work experience needed and how and/or years). If none mank (/ an /) (f)	much (in months
and/or years). If none, mark (or X) "No work experience No work experience is required.	required."
General:	
Ability to learn, interpret and apply pertinent laws,	
regulations and other labor law enforcement guidelines;	
ability to learn and apply the principles and techniques of	
interviewing and investigation	
interviewing and investigation to collect and analyze data	
needed to prepare reports and maintain records	
Specialized:	
One year of bookkeeping experience, one year of public	
Louisact work and graduation from high school. or	
One year or experience in investigation or orfered	
1 in comparance monitoring and graduation from black 1	
Any equivalent combination of experience and training which	
provides the minimum knowledge, abilities and skills.	
restricted and skills.	
Supervisory/Management:	
T.C.	
If no work experience is required, list the knowledge, abilitic qualified applicant needs before employees the knowledge, abilities	es and skills a
	essential job
functions.	coscinciai job
2. Formal Education or Training:	
Mark (✓ or X) the most applicable educational level required.	
a. [] Below High School - Show Number of Years	
b. [X] High School Graduation/GED Revised May 12, 1997	Į.
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c.	[] Vocational/Technical School
	Show specific training that is required by this position.
d.	[] Some College
	Show number of [] Semester Hours or [] Quarter Hours
	Show specific courses required by the essential functions of this job.
	the essential functions of this job.
e.	College Degree (Show major area of study required.)
	[] Associate's:
	[] Bachelor's:
	[] Master's:
	[] Beyond Master's:
	t] beyond master's:
3.	CRITICAL SKILLS/EXPERTISE: List specialized skills or specialization
٥.	needed to perform essential functions.
	Report Writing
	Use of Personal Protective Equipment
	Ability to deal with persons who speak no English
4.	LICENSE, REGISTRATION OR CERTIFICATION:
	List possession of required license, professional
	registration/certification needed to perform essential functions.
	Driver's License
	Direct & Dicense

B. MENTAL/VISUAL, PHYSICAL, AND ENVIRONMENTAL JOB REQUIREMENTS:

1	Manil		
1.	Mar	((or X)	the most appropriate physical requirement(s) for the job.
	[]	Sitting	The job requires the employees to sit in a comfortable position most of the time. The employee can move about.
	[]	Sitting	Employee is required to sit for extended periods of time without being able to leave the work area.
	[X]	Sitting/St	anding/Walking: The employee is required to sit, stand/walk most of the time.
	[]	Climbing	Employee is required to climb ladders or scaffolding or to climb and work in overhead areas.
	[]	Pulling an	d/or Pushing The job requires exerting force up to pounds on a regular basis to move the object to or away from the employees.
	[X]	Carrying	The employee is required, on a regular basis, to carry objects in his or her arms or on the shoulder(s).
	[]	Reaching	The employee is regularly required to use the hands and arms to reach for objects.
	[]	Stooping a	nd Crouching The employee is regularly required to bend forward by bending at the waist or by bending legs and spine.
	[]	Crawling	Employee is required to work in a confined space and/or to crawl and move about on his or her hands and knees.
	{X}	Speaking	The job requires expressing ideas by the spoken word.
	[X]	Listening	The job requires the perception of speech or the nature of sounds in the air.
	[]	Other	Describe the requirement.

2.	Mark	(V or X) the most appropriate
		(✓ or X) the most appropriate mental/visual requirement for the job.
	[X]	General Intelligence (typical requirement for machine operators, office staff, etc.)
	[]	Motor coordination Skills (typical for automotive mechanic, painter, etc.)
	[]	Coordination of Eyes, Hands, and Feet (typical for tractor trailer driver, fire fighter, line electrician, etc.)
	[X]	Verbal Intelligence (typical for counselors, customer service representatives, etc.)
	[]	Numerical Intelligence (typical for an accounting clerk, cargo checker, etc.)
	[]	Other
3.	mb - :	
J.	ine j	ob's most appropriate work environment and the weather exposure.
	Show to	what percent of a typical workday is spent. ct one response only)
	25_%	Indoors in a comfortable temperature-controlled environment (for instance, in an office).
	25 %	Indoors in a non-temperature-controlled environment (such as an open garage, some storerooms and warehouses, etc.)
	25 % ———	Outdoors exposed to changing weather conditions (for instance, rain, sun, wind, etc.)
	25 %	Outdoors but in an enclosed vehicle protected from extreme weather conditions.
4.	Other	physical working conditions.
	[]	
		Mark (\checkmark or X) if none of the following is applicable.

l.				
Show what percent of a typical workday this position is exposed to:			n is exposed to:	
	_5	- 8	Air contamination (i.e., dust, fumes, smoke disagreeable odors).	, toxic conditions,
		- 8	Vibration (i.e., operating jackhammer, impa	ct wrench).
	5	- ⁹ 6	Noise (Exposure at a level enough to cause I fatigue).	bearing loss or
		96	An improperly illuminated or awkward and con	nfining work space.
		- OF	Working above ground level where the chance (i.e., on ladders, rooftops, bucket trucks,	of falling exists scaffolding).
		8	Lifting or carrying items of objects.	
			Describe item/object and weight:	
		. 8	Heat. Describe source and degree of high te	emperature:
		8	Cold. Describe source and degree of cold te	emperature:
		8	Other hazards. Describe:	
		-		
		•		
5.	Desci and	cibe show	the working conditions that are irregular of frequency of exposure.	r unusual for the job
	[]	Mar	ck (X or ✓) if not applicable.	
			CONDITION	FREQUENCY OF EXPOSURE
,				
evised M	1ay 12, 199	/7		<u> </u>

work Schedule/Hours - Mark (✓ or X) the most appropriate work schedule/hours for the job.
[X] Regular Standard Eight (8) hours daily, Monday - Friday
[] Irregular Shift work - a 24-hour work operation.
[] Regular/Irregular Overtime hours with overtime pay entitlement.
State Purpose and Total Hours required per pay period.
[] Regular/Irregular Overtime hours without overtime pay entitlement.
State Purpose and Total Hours required per pay period:
The information given of this position is complete and correct.
Signature of Employee Date
~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

VIII. SUPERVISOR'S REVIEW IMPORTANT: This Block To Be Filled Out Only By the Direct Supervisor.

a.	(1)	Has the employee correctly stated his or her official payroll position title?	
		[X] Yes [] No	
	(2)	If not, what is the correct title?	
b.	(1)	Are the employee's statements about the duties of his/her position and the supplementary information complete and accurate?	
		[X] Yes [] No	
	(2)	If not, what additions, deletions or corrections should be made? (refer to block and page)	
c.		What positions under your supervision perform the same essential functions. Give name and title:	
		NAME TITLE	
•			
d.		Does this position require (mark one)	
		[X] Immediate supervision on a regular basis,	
		[] Immediate supervision only for new/complex tasks, or	
		[] Little immediate supervision.	
Revised May	12 1007		

е.	Does the employee participate in (mark those appropriate) the [] Formulation, [] Interpretation, and/or [] Application of Agency/Department policy. Give examples:
f. The employee (mark one)	
	[X] Performs routine, well-defined tasks,
	[] Performs moderately complex tasks requiring moderate knowledge of Agency's/Department's work; or
	[] Performs complex tasks requiring extensive knowledge of Agency's/Department's work.

I certify to the accuracy of the description of duties, responsibilities and organizational relationships provided herein; further, that the position is necessary to carry out government functions for which I am responsible. certification is made with the knowledge that this information is to be used for statutory purposes on the use of public funds. The false or misleading statement may constitute violations of such statutes of their implementing regulations.

Greg S. Massey

Signature of Immediate Supervisor

DAVID DELD'ISOLA, Director

Signature of Department/Agency Head

9(29/22 9/29/22

Human Resources Office Review: Reviewed by: Position Title Name Classification Correct: [] Yes [] No If not, corrective action taken: (Attached copy of review made) Approved by: Personnel Services Administrator Date Civil Service Commission Post-Audit: Date:

Revised May 12, 1997

Reviewed by: _____

Name

Position Title

Classification Correct: [] Yes [] No

If not, corrective action taken: